

ment, and of certain inaccuracies in amendments to Senate bill No. 30, beg leave to report that we have examined into the matters complained of, and find:

First. That Senate bill No. 30, is badly marked and disfigured, by lines and writing to such an extent as that it would be impossible to make a certified copy of same.

Second. That the practice of marking or in any manner disfiguring original bills is a reprehensible practice, and should be discarded.

Third. That the bill in question was marked by Mr. J. K. P. Shirley, Assistant Engrossing clerk, but that no intentional wrong was committed.

Fourth. We find that the following amendment was offered to Senate bill No. 30, by Senator Atlee, to wit: "In order to be the basis of a civil action for damages," and in engrossing the bill the amendment was made to read, "In order to be the basis of a criminal action for damages," which altered altogether the sense of the bill. And we find that this error was also made by Mr. J. K. P. Shirley, but without any design on his part.

Fifth. Your committee attaches no blame to the engrossing clerk, Mr. F. P. Smith, but would most earnestly insist that the chief virtue of this department is accuracy. We would further suggest that hereafter, all assistants in the engrossing department be strictly under the control and supervision of the engrossing clerk.

Respectfully submitted.

DIBRELL,  
GREER,  
LLOYD.

#### HOUSE MESSAGES.

The following messages from the House were received:

Hall of the House of Representatives.  
Austin, Texas, February 17, 1900.

*Hon. J. N. Browning, President of the Senate.*

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 16, being A bill to be entitled "An Act to amend Sections 12, 56, 77, 119 and 120, of an Act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899, with an emergency clause."

Also Senate bill No. 18, "An Act to amend Sections 43 and 45 of 'An Act incorporating the city of San Antonio,' approved August 13, 1870, and all of acts amendatory thereof."

Also Senate bill No. 8, "An Act to amend Section 7 of 'An Act to provide

for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor,' approved February 9, 1899."

MARK LOGAN,  
Acting Chief Clerk House of Representatives.

Hall of the House of Representatives.  
Austin, Texas, February 17, 1900.

*Hon. J. N. Browning, President of the Senate.*

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to House bill No. 4.

MARK LOGAN,  
Acting Chief Clerk House of Representatives.

#### CANE PRESENTATION.

Senator Hanger was recognized by the Chair, and yielded the floor to Master Bruce Sherrill, who, in a few well chosen words, on behalf of the officers, clerks and pages of the Senate, presented ex-President Pro Tem. Senator R. N. Stafford, an elegant gold headed cane, in lieu of one formerly presented him, and which was destroyed by fire when the Senator's residence was recently burned.

Senator Stafford accepted the cane in words of feeling and gratitude.

On motion of Senator Patterson, the Senate adjourned until 10 a. m. Monday.

#### SEVENTEENTH DAY.

Senate Chamber,  
Austin, Tex., Monday, Feb. 19, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.  
Davidson.  
Dibrell.  
Goss.  
Greer.  
Grinnan.  
Hanger.  
James.  
Kerr.  
Lewis.  
Lloyd.  
McGee.

Miller.  
Neal.  
Patterson.  
Potter.  
Sebastian.  
Stafford.  
Stone.  
Terrell.  
Turney.  
Wayland.  
Yett.

Absent.

Burns.  
Gough.

Johnson.  
Linn.

Morriss.  
Odell.

Ross.  
Yantis.

Prayer by the Chaplain, Rev. C. B. Garrett.

Pending the reading of the Journal of yesterday,

On motion of Senator James, the same was dispensed with.

#### EXCUSED.

On motion of Senator Stafford, Assistant Journal Clerk Tom. H. Napier was excused for absence on Saturday last on account of important business.

On motion of Senator Potter, Senator Morriss was excused from attendance today on account of important business.

On motion of Senator Goss, Senator Atlee was excused for non-attendance on Saturday last on account of important business.

On motion of Senator Neal, Senator Burns was excused from attendance today on account of legal duties looking to the acquisition of the San Jacinto battle field by the State.

On motion of Senator Patterson, Senator Miller was excused for non-attendance on Saturday last on account of important business.

On motion of Senator Sebastian, Senator Wayland was excused for non-attendance on Saturday last on account of important business.

On motion of Senator Terrell, Senator Yett was excused for non-attendance on Thursday, Friday and Saturday of last week on account of sickness in his family.

On motion of Senator McGee, Senator Terrell was excused for non-attendance on Friday and Saturday of last week on account of important business.

On motion of Senator Greer, Senator Davidson was excused for non-attendance on Friday and Saturday of last week on account of important business.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, February 17, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 20, being a bill to be entitled "An Act to amend Article 418, of the Revised Civil Statutes of the State of Texas, relative to providing water for cities and towns,"

And find the same correctly engrossed.  
JAMES, Chairman.

Committee Room,  
Austin, Texas, February 17, 1900.  
*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 15, being a bill to be entitled "An Act to amend Articles 3862 and 3866, Revised Civil Statutes and an act of the Twenty-sixth Legislature, Regular Session, page 21, General Laws, amendatory of said articles, relating to the government of the Agricultural and Mechanical College of Texas,"

And find the same correctly engrossed.  
JAMES, Chairman.

#### HOUSE MESSAGE.

The following message was received from the House:

Hall of the House of Representatives.  
Austin, Texas, February 19, 1900.  
*Hon. Jas. N. Browning, President of the Senate.*

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has passed the following bill:

Substitute Senate bill No. 9, being a bill to be entitled "An Act authorizing the Railroad Commission of the State of Texas to investigate into the running and operating, by any railroad in this State, of more than one working locomotive in any one train at the same time, and to authorize them to regulate, or forbid, such practice either on all or a part of such railroad, and to prescribe a penalty for the violation of the Commission's order; and to define an abuse, and to provide that railway employes shall not be held to assume the risk of injury when engaged in the operation of trains propelled by two or more engines."

Also Senate Concurrent Resolution No. 2, relating to the erection of a Confederate monument on the capitol grounds, in the city of Austin.

Respectfully,

MARK LOGAN,  
Acting Chief Clerk House of Representatives.

#### BILLS AND RESOLUTIONS.

By Senators James and Grinnan:

Senate bill No. 21, A bill to be entitled "An Act to quiet the titles to lands located and surveyed by virtue of land certificates granted under the act of the Legislature of the State of Texas, entitled 'An Act granting to persons who have been permanently disabled by reason of wounds received while in the service of

this State or the Confederate States, a land certificate for twelve hundred and eighty acres of land,' approved April 9, 1881, and to validate such location and surveys."

Read first time, and referred to the Committee on Public Lands and Land Office.

Call concluded.

#### SPECIAL ORDER.

The Chair laid before the Senate, on second reading, special order,

House bill No. 19, A bill to be entitled "An Act to provide a uniform method of selecting trustees in independent school districts, defining the duties of such trustees, the time and manner of election, also the appointment of trustees by the city council under certain conditions, validating the acts of trustees heretofore elected or appointed, and continuing such trustees in office until their successors are legally chosen and qualified, repealing Act of March 30, 1899, Chapter LI, General Laws, passed by the Twenty-sixth Legislature, also Articles 4001, 4007, 4008, 4009, 4010, 4011, 4012, 4017, 4018, 4019, 4020, 4021, 4022, and all other laws or parts of laws, both special and general, in conflict with the provisions of this act, and providing an emergency," action being on its passage to a third reading.

(Senator Potter in the chair.)

By Senator Miller:

"Amend line 24, page 1, by adding after the word 'emergency' the following: 'And exempting the city of Dallas from its provisions.'"

Adopted.

By Senator Goss:

"Amend Section 2 by striking out in lines 3 and 4, page 2, of printed bill, the words 'for one year, that is until May, 1901,' and inserting 'until the first Saturday in December, 1900,' and by striking out, in lines 5 and 6, the words for two years, that is until May, 1902,' and inserting 'until the first Saturday in December, 1901,' and by striking out in line 7 the word 'May' and inserting 'December.'"

Lost by the following vote:

Yeas—9.

Atlee.	Stone.
Goss.	Terrell.
Grinnan.	Wayland.
Lloyd.	Yett.
McGee.	

Nays—12.

Davidson.	Hanger.
Dibrell.	Kerr.
Greer.	Miller.

Neal.  
Patterson.  
Potter.

Sebastian.  
Stafford.  
Turney.

Absent.

Gough.  
James.  
Johnson.  
Lewis.

Linn.  
Odell.  
Ross.  
Yantis.

Absent—Excused.

Morriss.

Burns.

By Senator Grinnan:

"Amend by adding after the words 'proceedings of,' in line 9, page 5, the following: 'And contracts, bonds issued and authorized to be issued by.'"

Adopted.

By Senator Terrell:

"Amend House bill No. 19 by adding the following after Section 11a, on page 5, as 'Section 12,' and change the subsequent sections in number to conform to same.

"Section 12. No member of the board of trustees of any public school, nor teacher in any of the public schools of this State, nor county or city superintendent of public schools, shall, during the term of their office as trustee, or superintendent, or during the time of their employment as teacher, act as agent or attorney for any text-book publishing company selling text-books in this State. Nor shall any person interested in the publication of text-books or of selling the same to be used in the public schools of this State be eligible as school trustee, county or city superintendent of schools or as teacher in any of the public schools of the State while acting in the capacity of agent or attorney for text-book publishers or dealers. If after election as trustee, county or city superintendent, or employment as teacher, any person filling such position, accepts the agency or attorneyship of any text-book publishing company, the acceptance of such agency or attorneyship shall work a forfeiture of the office or place in the public schools held at the time of the acceptance of such agency or attorneyship."

Adopted.

By Senator Greer:

"Amend Section 6, page 3, line 18, by adding after the figures '1898' and before the word 'shall' the following, to wit: 'Or other statutes, general and special, except such cities as are exempted by this act.'"

Adopted.

By Senator Goss:

"Amend Section 13 so that it shall read as follows:

"Section 13. The Act of March 30,

1899, Chapter LI, General Laws passed by the Twenty-sixth Legislature, and Articles 4001, 4007, 4008, 4009, 4010, 4011, 4012, 4017, 4018, 4019, 4020, 4021 and 4022, and all other laws or parts of laws, both general and special, in conflict with the provisions of this act, are hereby expressly repealed, and all local or special laws or parts of local or special laws providing for the management of the schools or the election of trustees, superintendent and other school officials, in conflict with the provisions of this act, are hereby expressly repealed."

By Senator Greer:

Substitute the amendment as follows:

"Section 13. All laws and parts of laws, both general and special, in conflict with this act are hereby expressly repealed, and all local or special laws and parts of local or special laws providing for the election or appointment of trustees, superintendent, or other school officials are hereby specially repealed; provided, that this act shall not be construed to repeal the school laws of cities specially exempted by this act."

Senator Goss accepted the substitute.

The substitute was adopted.

(Lieutenant-Governor Browning in the chair.)

By Senator Goss:

"Amend by adding to Section 6 the following: 'In cities in which appropriations from the general funds are made for the support of the schools, the sums asked for by the board of trustees shall be appropriated by the city councils; provided, that not more than an amount equal to fifty cents on the one hundred dollars of the taxable values of the city shall be appropriated by any city council for any one year.'"

Pending action,

Senator Miller moved to postpone further consideration of the bill until tomorrow after call.

Lost.

Senator Miller then moved to table the pending amendment.

The amendment was tabled by the following vote:

Yeas—14.

Atlee.	Patterson.
Dibrell.	Potter.
Greer.	Sebastian.
Hanger.	Stone.
Lewis.	Turney.
McGee.	Yantis.
Miller.	Yett.

Nays—7.

Goss.	Lloyd.
Grinnan.	Neal.
James.	Terrell.
Kerr.	

Absent.

Davidson.	Odell.
Gough.	Ross.
Johnson.	Stafford.
Linn.	Wayland.

Absent—Excused.

Burns.

Morriss.

By Senator Hanger:

"Amend by adding to Section 11 the following: 'The provisions of this act shall not apply to the city of Fort Worth.'"

Adopted.

By Senator Goss:

"Amend Section 6 by inserting before the word 'city,' in line 16, page 3, the words 'the mayor.'"

Adopted.

By Senator Hanger:

"Amend the caption by adding after the word 'Dallas' the words 'and the city of Fort Worth.'"

Adopted.

By Senator Terrell:

"Amend caption by adding 'and prohibiting teachers, trustees and superintendents from acting as agents for textbook companies.'"

Adopted.

Pending further action,

BILL SIGNED.

The Chair gave notice of signing, and did sign in the presence of the Senate, after its caption had been read,

Senate bill No. 8, "An Act to amend Section 7 of An Act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and make an appropriation therefor, approved February 9, 1899."

Resuming consideration of House bill No. 19,

Senator Miller offered the following amendment:

"Amend by adding Section 14:

"Section 14. Except as provided in Section 9 herein, it is further provided that in all cities and towns of less than ten thousand inhabitants, incorporated under the general law, where the mayor and board of aldermen constitute the board of school trustees of such city or town, the mayor shall be president of the board and the mayor and board of aldermen shall be subject to the rules and regulations and discharge the duties of school trustees as herein otherwise provided; and it is further provided, that if any such city or town desires to take the management of its public schools out of the hands of its city council, on a peti-

tion of twenty-five legal voters, addressed to the mayor or city council, the mayor or the city council shall order an election in such city or town after ten days notice, posted in three conspicuous places in such city or town, to determine if the public schools shall be placed under the management of a board of school trustees as herein provided, and the ballots shall have indorsed thereon, "For management by school trustees," "Against management by school trustees," and if at said election a majority of the legal votes cast shall favor management by school trustees then an election shall at once be ordered for the election of such school trustees as herein provided; but, if a majority shall be against such management then the public schools shall remain under the control and management of the mayor and board of aldermen. A second election shall not be had on this matter until the expiration of two years from the last election."

(President Pro Tem. Turney in the chair.)

The amendment was lost by the following vote:

Yeas—3.

Hanger.	Miller.
McGee.	

Nays—18.

Atlee.	Lloyd.
Davidson.	Neal.
Dibrell.	Patterson.
Goss.	Potter.
Greer.	Stone.
Grinnan.	Terrell.
James.	Turney.
Kerr.	Wayland.
Lewis.	Yett.

Absent.

Gough.	Ross.
Johnson.	Sebastian.
Linn.	Stafford.
Odell.	Yantis.

Absent—Excused.

Burns.	Morriss.
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Pending further action,  
Senator Miller moved to adjourn until 10 o'clock a. m. tomorrow.  
Lost.

By Senator Dibrell:

"Amend the bill by adding thereto Section 11b, as follows:

"Sec. 11b. Each board of trustees provided for in this act shall elect a superintendent or principal of schools of such independent district for not more than two years, and such election of superintendent or principal shall be held between the 15th day of May and the

15th day of August of each year, or each alternate year, as may be necessary. The election of a superintendent or principal to fill any vacancy in said position arising from any cause whatever shall be for the unexpired term only."

By Senator Davidson:

"Amend the amendment by substituting 'one year' wherever 'two' appears."

Adopted by the following vote:

Yeas—13.

Davidson.	Sebastian.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Neal.	Yett.
Potter.	

Nays—6.

Dibrell.	Lloyd.
Goss.	McGee.
Greer.	Miller.
Grinnan.	Patterson.

Absent.

Gough.	Odell.
Johnson.	Ross.
Linn.	Yantis.

Absent—Excused.

Burns.	Morriss.
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Pending action on the amendment as amended,

Senator Goss offered to amend same as follows:

"Amend the amendment (Dibrell's) by striking out all after the word 'years,' in line 5."

Pending action,

On motion of Senator Lewis, the Senate adjourned until 3 p. m. today.

#### AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. No quorum, the following Senators answering to their names:

Davidson.	Neal.
Greer.	Potter.
Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Stone.
Lewis.	Terrell.
Lloyd.	Turney.
McGee.	Wayland.
Miller.	Yett.

## Absent.

Atlee.	Linn.
Dibrell.	Odell.
Goss.	Patterson.
Gough.	Yantis.
Johnson.	

## Absent—Excused.

Burns.	Morriss.
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Senator Davidson moved a call of the Senate, which was ordered, the following Senators answering to their names:

Davidson.	Neal.
Goss.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Stone.
Kerr.	Terrell.
Lewis.	Turney.
Lloyd.	Wayland.
McGee.	Yett.
Miller.	

## Absent.

Atlee.	Linn.
Dibrell.	Odell.
Gough.	Patterson.
Johnson.	Yantis.

## Absent—Excused.

Burns.	Morriss.
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Quorum announced present.

## BILL SIGNED.

The Chair gave notice of signing, and did sign in the presence of the Senate, after its caption had been read,

House bill No. 4, A bill to be entitled "An Act to amend Article 5046, Chapter 1, Title CIV, of the Revised Civil Statutes of the State of Texas."

## PENDING BUSINESS.

The Chair laid before the Senate, on second reading, pending business,

House bill No. 19, A bill to be entitled "An Act to provide a uniform method of selecting trustees in independent school districts, defining the duties of such trustees, the time and manner of election, also the appointment of trustees by the city council under certain conditions, validating the acts of trustees heretofore elected or appointed, and continuing such trustees in office until their successors are legally chosen and qualified, repealing Act of March 30, 1899, Chapter LI, General Laws, passed by the Twenty-sixth Legislature, also Articles 4001, 4007, 4008, 4009, 4010, 4011, 4012, 4017, 4018, 4019, 4020, 4021, 4022, and all other laws or parts of laws, both special and general, in conflict with the provis-

ions of this act, and providing an emergency."

Action being on the amendment offered by Senator Goss to the amendment offered by Senator Dibrell, they being to wit:

By Senator Dibrell:

"Amend the bill by adding thereto Section 11b, as follows: 'Section 11b. Each board of trustees provided for in this act shall elect a superintendent or principal of schools of such independent district, for not more than two years, and such election of superintendent or principal shall be held between the 15th day of May, and the 15th day of August, of each year, or each alternate year, as may be necessary. The election of a superintendent or principal to fill any vacancy in said position, arising from any cause whatever, shall be for the unexpired term only.'"

By Senator Goss:

"Amend the amendment by striking out all after the word 'years,' in line 5."

The amendment to the amendment (Goss') was adopted.

The amendment (Dibrell's, as amended, was adopted.

By Senator Miller:

"Amend Section 11a by adding after the word 'Fort Worth,' the words 'Oak Cliff, Lancaster, Garland, Rockwall and Royse.'"

Lost.

By Senator Greer:

"Amend Section 6, page 3, line 25, by inserting between the words 'tax' and 'will,' the following: 'Within the limit voted by the people or fixed by special charter.'"

Adopted.

By Senator Grinnan:

"Amend line 16, page 2, by striking out the word 'placed' and insert the word 'posted.'"

Adopted.

By Senator Lewis:

"Amend Section 4 by striking out all of Section 4, after the word 'trustees,' in line 3, page 3, and insert in lieu thereof the following: 'In independent school districts in cities having a city assessor and collector of taxes, such assessor and collector shall assess and collect the taxes for school purposes, and in independent school districts where there are no city assessor and collector, the county assessor and collector shall assess and collect such school taxes, as other taxes are assessed and collected.'"

Adopted.

By Senator Greer:

"Amend the bill, line 30, page 3, Section 6, by inserting between the words 'board' and 'to be,' the following: 'By

paying over monthly to the treasurer of said board the amount collected for the support of the schools of such district.'"

Adopted.

By Senator Davidson

"Amend the amendment introduced by Senator Lewis and adopted by adding the following, 'provided further, that in said independent school districts property shall not be assessed at a greater value than same is assessed at for State and county purposes.'"

Adopted.

The bill as amended was passed to a third reading.

On motion of Senator Goss, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Neal.
Goss.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

Absent.

Dibrell.	Odell.
Gough.	Patterson.
Johnson.	Ross.
Linn.	Yantis.

Absent—Excused.

Burns. Morriss.

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Neal.
Goss.	Potter.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

Absent.

Dibrell.	Odell.
Gough.	Patterson.
Johnson.	Ross.
Linn.	Yantis.

Absent—Excused.

Burns. Morriss.

Senator Goss moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

#### HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives.

Austin, Texas, February 19, 1900.

*Hon. J. N. Browning, President of the Senate.*

MR. PRESIDENT: I am directed by the House to inform the Senate that the House has passed the following bill, to-wit:

House bill No. 18, being "An Act to amend Sections 43 and 45 of an Act incorporating the city of San Antonio, approved August 13, 1870, and of all acts amendatory thereof."

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

#### IN SENATE.

The above reported House bill No. 18 was read first time, and referred to the Committee on Towns and City Corporations.

#### REGULAR ORDER SUSPENDED.

On motion of Senator Grinnan, the regular order of business was suspended to take up, on third reading,

Substitute Senate bill No. 20, A bill to be entitled "An Act to amend Article 418 of the Revised Civil Statutes of the State of Texas, relative to providing water for cities and towns."

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Neal.
Dibrell.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

Nays—1.

Goss.

Absent.

Gough.	Odell.
Johnson.	Patterson.
Linn.	Yantis.

Absent—Excused.

Burns. Morriss.

## REGULAR ORDER.

The Chair laid before the Senate, on third reading,

- Senate bill No. 15, A bill to be entitled "An Act to amend Articles 3862 and 3866, Revised Civil Statutes, and an Act of the Twenty-sixth Legislature, Regular Session, page 21, General Laws, amendatory of said articles, relating to the government of the Agricultural and Mechanical College of Texas, and to repeal all laws in conflict with this act."

The bill was read a third time, and passed by the following vote:

Yeas—22.

Atlee.	McGee.
Davidson.	Miller.
Dibrell.	Neal.
Goss.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.

Absent.

Gough.	Patterson.
Johnson.	Stafford.
Linn.	Yantis.
Odell.	

Absent—Excused.

Burns.	Morriss.
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Senator Grinnan moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Carried.

The Chair laid before the Senate, on second reading,

Senate bill No. 19, A bill to be entitled "An Act to dedicate the north half of block one hundred and twenty-four (124) in the city of Austin, as a site for the establishment of a public library for the people of the State, and to constitute the city of Austin a trustee to erect thereon a library building, and to supply, maintain and control such public library."

The bill was read a second time, with a favorable majority and adverse minority committee reports.

Senator Lloyd moved to substitute the adverse minority report for the favorable majority report.

Carried.

The adverse committee report was then adopted.

Senator Lloyd then moved to reconsider the vote by which the adverse committee report was adopted, and to lay that motion on the table.

Carried.

## COMMITTEE REPORT.

By unanimous consent the following committee report was made:

Committee Room,

Austin, Texas, February 19, 1900.

*Hon. J. N. Browning, President of the Senate.*

SIR: Your Committee on Towns and City Corporations, to whom was referred House bill No. 18, being a bill to be entitled "An Act to amend Sections 43 and 45 of an Act incorporating the city of San Antonio, approved August 13, 1870, and of all acts amendatory thereof,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

Floor report—Miller, Hanger, Davidson, James and Greer.

And the committee further recommend that said bill be not printed.

MILLER, Chairman.

## RULE SUSPENDED.

On motion of Senator Lewis, the rule requiring bills to lay on the table for one day after being reported, was suspended, to take up on second reading,

House bill No. 18, A bill to be entitled "An Act to amend Sections 43 and 45 of 'An Act incorporating the city of San Antonio,' approved August 13, 1870, and acts amendatory thereof."

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its second reading by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Neal.
Dibrell.	Potter.
Goss.	Ross.
Greer.	Sebastian.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

Absent.

Gough.	Odell.
Grinnan.	Patterson.
Johnson.	Stafford.
Linn.	Yantis.

Absent—Excused.

Burns.	Morriss.
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The bill was read a second time, and passed to a third reading.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

## Yeas—23.

Atlee.	Miller.
Davidson.	Neal.
Dibrell.	Potter.
Goss.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

## Absent.

Gough.	Odell.
Johnson.	Patterson.
Linn.	Yantis.

## Absent—Excused.

Burns.	Morriss.
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The bill was read a third time, and passed by the following vote:

## Yeas—23.

Atlee.	Miller.
Davidson.	Neal.
Dibrell.	Potter.
Goss.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Stone.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.
Lloyd.	Yett.
McGee.	

## Absent.

Gough.	Odell.
Johnson.	Patterson.
Linn.	Yantis.

## Absent—Excused.

Burns.	Morriss.
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Senator James called up the motion to reconsider the vote by which

Senate bill No. 3, A bill to be entitled "An Act to fix the salaries of the superintendents of the several insane asylums of this State, and to make an additional appropriation therefor," failed on final passage (see Journal of February 16.)

Pending action,

Senator Hanger moved that the Senate take a recess until 10 a. m. tomorrow.

Lost by the following vote:

## Yeas—8.

Atlee.	Miller.
Hanger.	Neal.
Kerr.	Terrell.
McGee.	Turney.

## Nays—15.

Davidson.	Potter.
Dibrell.	Ross.
Goss.	Sebastian.
Greer.	Stafford.
Grinnan.	Stone.
James.	Wayland.
Lewis.	Yett.
Lloyd.	

## Absent.

Gough.	Odell.
Johnson.	Patterson.
Linn.	Yantis.

## Absent—Excused.

Burns.	Morriss.
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The Chair then laid before the Senate Senate bill No. 3 (see caption above), action being on the motion to reconsider the vote by which the bill failed on final passage (see Journal of February 16).

Pending action,

## BILLS SIGNED.

The Chair gave notice of signing, and did sign in the presence of the Senate, after their captions had been read,

Senate bill No. 16, "An Act to amend Sections 12, 56, 77, 119 and 120 of an Act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899."

Senate bill No. 9, "An Act authorizing the Railroad Commission of the State of Texas to investigate into the running and operating by any railroad in this State of more than one working locomotive in any one train at the same time, and to authorize and regulate, or forbid, such practice either on all or part of such railroad, and to prescribe a penalty for the violation of the Commission's order."

Senate Concurrent Resolution No. 2, Directing the Superintendent of Public Buildings and Grounds to prevent the obstruction, in any manner, of the way or walk leading from the capitol building to Congress Avenue.

(President Pro Tem. Turney in the chair.)

Action recurring on the motion to reconsider the vote by which Substitute Senate bill No. 3 failed on final passage,

Senator James moved that the Senate take a recess until 10 a. m. tomorrow.

Lost by the following vote:

## Yeas—7.

Atlee. McGee.  
Dibrell. Miller.  
Kerr. Neal.  
Lloyd.

## Nays—13.

Davidson. Sebastian.  
Goss. Stafford.  
Greer. Stone.  
James. Turney.  
Lewis. Wayland.  
Potter. Yett.  
Ross.

## Absent.

Gough. Odell.  
Grinnan. Patterson.  
Hanger. Terrell.  
Johnson. Yantis.  
Linn.

## Absent—Excused.

Burns. Morriss.

The vote disclosed no quorum.  
(Senator Wayland in the chair.)  
Senator Miller claimed the floor, and  
pending discussion,  
Senator McGee moved to adjourn until  
10 a. m. tomorrow.  
Lost by the following vote:

## Yeas—4.

Lloyd. Miller.  
McGee. Neal.

## Nays—15.

Atlee. Potter.  
Davidson. Ross.  
Dibrell. Sebastian.  
Goss. Stafford.  
Greer. Stone.  
James. Turney.  
Kerr. Yett.  
Lewis.

## Absent.

Gough. Odell.  
Grinnan. Patterson.  
Hanger. Terrell.  
Johnson. Yantis.  
Linn.

## Absent—Excused.

Burns. Morriss.

## Present—Not voting.

Wayland.

Senator Greer moved a call of the Senate for the purpose of securing a quorum, which was ordered, the following Senators answering to their names:

Atlee. James.  
Davidson. Kerr.  
Dibrell. Lewis.  
Goss. Lloyd.  
Greer. McGee.

Miller.  
Potter.  
Ross.  
Sebastian.  
Stafford.

Stone.  
Turney.  
Wayland.  
Yett.

## Absent.

Gough. Neal.  
Grinnan. Odell.  
Hanger. Patterson.  
Johnson. Terrell.  
Linn. Yantis.

(President Pro Tem. Turney in the chair.)

Pending securing of quorum,  
Senator McGee moved to adjourn until  
10 a. m. tomorrow.

Lost by the following vote:

## Yeas—7.

Atlee. McGee.  
Goss. Miller.  
Kerr. Wayland.  
Lloyd.

## Nays—12.

Davidson. Ross.  
Dibrell. Sebastian.  
Greer. Stafford.  
James. Stone.  
Lewis. Turney.  
Potter. Yett.

## Absent.

Gough. Neal.  
Grinnan. Odell.  
Hanger. Patterson.  
Johnson. Terrell.  
Linn. Yantis.

## Absent—Excused.

Burns. Morriss.

## Absent—Excused.

Burns. Morriss.

Senator Miller then moved to adjourn until 9:55 a. m. tomorrow.

Adjourned by the following vote:

## Yeas—10.

Atlee. McGee.  
Goss. Miller.  
Kerr. Stone.  
Lewis. Turney.  
Lloyd. Wayland.

## Nays—8.

Davidson. Potter.  
Dibrell. Ross.  
Greer. Sebastian.  
James. Yett.

## Absent.

Gough. Hanger.  
Grinnan. Johnson.

Linn.	Stafford.
Neal.	Terrell.
Odell.	Yantis.
Patterson.	

Absent—Excused.

Burns.	Morriss.
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#### EIGHTEENTH DAY.

Senate Chamber,  
Austin, Tex., Tuesday, Feb. 20, 1900.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Absent.

Prayer by the Chaplain, Rev. C. B. Garrett.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

#### EXCUSED.

On motion of Senator Goss, Senator Gough was excused for non-attendance on Thursday, Friday and Saturday of last week and Monday of this week on account of important business.

On motion of Senator Grinnan, Senator Johnson was excused for non-attendance on yesterday on account of important business.

On motion of Senator Lloyd, Senator Morriss was excused from attendance today on account of important business.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, February 19, 1900.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 16, "An Act to amend Sections 12, 56, 77, 119 and 120 of an act entitled 'An Act to incorporate the city of Dallas, and to grant it a new charter,' approved May 9, 1899,"

And find the same correctly enrolled, and have this day, at 5 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, February 19, 1900.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled

Bills have carefully examined and compared

Substitute Senate bill No. 9, "An Act authorizing the Railroad Commission of the State of Texas to investigate into the running and operating, by any railroad in this State, of more than one working locomotive in any one train at the same time, and to authorize them to regulate or forbid such practice either on all or on a part of such railroad; and to prescribe a penalty for the violation of the Commission's order; and to define an abuse, and to provide that railway employees shall not be held to assume the risk of injury when engaged in the operation of trains propelled by two or more engines,"

And find the same correctly enrolled, and have this day, at 5 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, February 19, 1900.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 8, "An Act to amend Section 7, of 'An Act to provide for the location and building of a branch asylum for the care and treatment of the epileptic insane of the State, and to make an appropriation therefor,' approved February 9, 1899,"

And find the same correctly enrolled, and have this day, at 5 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,  
Austin, Texas, February 19, 1900.

*Hon. Jas. N. Browning, President of the Senate.*

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate Concurrent Resolution No. 2, directing the Superintendent of Public Buildings and Grounds to prevent the erection of monument at the capitol gate,

And find the same correctly enrolled, and have this day, at 5 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

#### RESOLUTIONS.

By Senator McGee:

Resolved, That the Secretary of the Senate J. P. Pool, the Journal Clerk W. B. O'Quinn, and the Assistant Journal Clerk